



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Roger Johns

Serial No. 09/853,895

Filed: May 14, 2001

For: INHIBITION OF INTERACTION OF  
PSD93 AND PSD95 WITH nNOS And  
NMDA RECEPTORS

) BOX: MISSING PARTS  
) Group Art Unit: 1614  
) Examiner: Unassigned  
)  
) Atty. Dkt.: 01107.00130

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated July 18, 2001, Applicant is hereby submitting the executed declaration for filing in the subject application. Accordingly, it is respectfully requested that a filing date of May 14, 2001, be granted to this application which is the filing date the original specification and drawings were filed with the Patent and Trademark Office. Substitute drawings are enclosed.

The Commissioner is authorized to charge \$1,285.00 to cover the following to Deposit Account No. 19-0733:

\$355.00 – Basic filing fee;  
\$450.00 – 50 extra total claims  
\$ 65.00 – Surcharge for late Declaration;  
\$280.00 – 7 independent claims; and  
\$135.00 – Multiple Dependent Claims

U.S. Serial No. 09/853,895

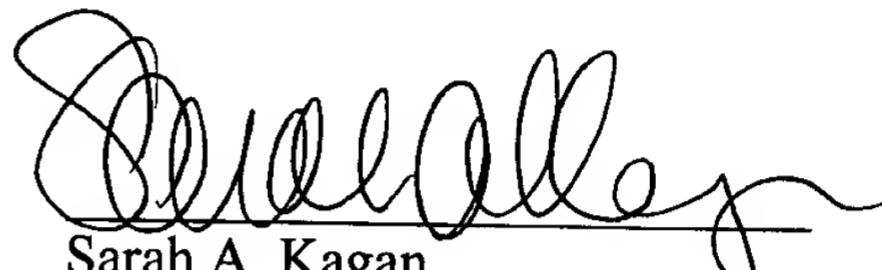
Attorney Docket No. 01107.00130

Page 2

In the event any variance exists between the amount authorized and the Patent Office charges,  
please charge any difference to Deposit Account 19-0733.

Respectfully submitted,

By:



Sarah A. Kagan

Registration No. 32,141

Dated: August 29, 2001

BANNER & WITCOFF, LTD.  
1001 G Street, N.W. – 11<sup>th</sup> Floor  
Washington, D.C. 20001  
Telephone: 202/508-9100



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/853,895	05/14/2001	Roger Johns	01107.00130

AUG 29 2001  
O I P E  
PATENT & TRADEMARK OFFICE  
BANNER & WITCOFF  
1001 G STREET NW  
SUITE 1100  
WASHINGTON, DC 20001

**CONFIRMATION NO. 6167**

**FORMALITIES LETTER**



\*OC00000006312838\*

Date Mailed: 07/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2001 EABUBAK1 00000076 190733 09853895

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

01 FC:201	355.00 CH
02 FC:202	280.00 CH
03 FC:203	450.00 CH
04 FC:204	135.00 CH
05 FC:205	65.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1730.
  - \$900 for 50 total claims over 20.
  - \$560 for 7 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2570.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

---

*A copy of this notice **MUST** be returned with the reply.*



---

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

*AUG 29 2001*

*Patent fees are subject to annual revision.*

*U.S. PATENT & TRADEMARK OFFICE*

**TOTAL AMOUNT OF PAYMENT** (\$)

1,325.00

<i>Complete if Known</i>	
Application Number	09/853,895
Filing Date	May 14, 2001
First Named Inventor	Roger JOHNS
Examiner Name	Unassigned
Group / Art Unit	1614
Attorney Docket No.	01107.00130

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																																											
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number      19-0733</p> <p>Deposit Account Name      Banner &amp; Witcoff, Ltd.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th colspan="3" style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: right;">40.00</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="6" style="text-align: center; padding-top: 10px;">Other fee (specify)</td> </tr> <tr> <td colspan="4" style="text-align: right; padding-right: 10px;">*Reduced by Basic Filing Fee Paid</td> <td colspan="2" style="text-align: center; padding-left: 10px;">SUBTOTAL (3)</td> <td style="text-align: right; padding-left: 10px;">(\$)</td> </tr> <tr> <td colspan="4"></td> <td colspan="2"></td> <td style="text-align: right;">105.00</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Description			Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			105	130	205	65	Surcharge - late filing fee or oath	65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive – unavoidable		141	1,240	241	620	Petition to revive – unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)		(\$)							105.00
Large Entity	Small Entity	Fee Description			Fee Paid																																																																																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																																												
105	130	205	65	Surcharge - late filing fee or oath	65.00																																																																																																																																																																																																										
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																											
139	130	139	130	Non-English specification																																																																																																																																																																																																											
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																											
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																											
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																											
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																											
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																											
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																											
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																											
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																											
119	310	219	155	Notice of Appeal																																																																																																																																																																																																											
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																											
121	270	221	135	Request for oral hearing																																																																																																																																																																																																											
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																											
140	110	240	55	Petition to revive – unavoidable																																																																																																																																																																																																											
141	1,240	241	620	Petition to revive – unintentional																																																																																																																																																																																																											
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																											
143	440	243	220	Design issue fee																																																																																																																																																																																																											
144	600	244	300	Plant issue fee																																																																																																																																																																																																											
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																											
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																																																											
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																											
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																																										
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																											
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																											
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																											
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																											
Other fee (specify)																																																																																																																																																																																																															
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)		(\$)																																																																																																																																																																																																									
						105.00																																																																																																																																																																																																									
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																															

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Sarah A. Kagan	Registration No. Attorney/Agent)	32,141	Telephone (202) 508-9100
Signature	<i>S. Kagan</i>		Date	August 29, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.